

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 5, 2010

Court Holiday

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 6, 2010

- D054665     People v. Macias**  
The judgment is affirmed. Haller, J.; We Concur: Benke, Acting P.J., Huffman, J.
- D056729     In re J.W., a Juvenile**  
The finding and order are affirmed.  
McIntyre, Acting P.J.; We Concur: O'Rourke, J., Aaron, J.
- D056305     People v. Lute**  
The judgment is affirmed.  
O'Rourke, J.; We Concur: McIntyre, Acting P.J., Irion, J.
- D057051     In re O.P., a Juvenile**  
The unopposed motion of Appellate Defenders, Inc., on behalf of appellant, to vacate order of dismissal and to reinstate appeal is granted. The dismissal order of June 15, 2010, is vacated and the appeal is reinstated. Appellate Defenders, Inc. is directed to submit counsel appointment recommendations within 5 days of the date of this order.
- D057505     In re Martin on Habeas Corpus**  
The petition is denied.
- D057286     Luz-Torres Rodriguez v. Workers' Compensation Appeals Board and Walldesign, Inc.**  
The petition is denied.
- D057544     Mission Federal Credit Union v. Superior Court of San Diego County/Selmi**  
The petition for writ of mandate and request for stay have been read and considered by Justices Benke, Huffman and O'Rourke. The petition is denied.
- D057529     In re Hayes on Habeas Corpus**  
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 7, 2010

- D057012     Kimberly B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
The petition is denied.
- D055699     San Diego Navy Broadway Complex Coalition v. City of San Diego/Manchester Pacific Gateway LLC**  
Appellant's petition for rehearing is denied.
- D057145     Citizens for Responsible Equitable Environmental Development v. City of San Diego**  
Upon written stipulation filed by the parties to the appeal, the appeal is dismissed as to Emeral Manor Apartment House, LLC, and Desautels Company only and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)
- D057145     Citizens for Responsible Equitable Environmental Development v. City of San Diego**  
Upon written request filed by appellant, the appeal is dismissed as to DGB Survey and Mapping, Inc. only, and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).)

Court convened at 1:30 p.m.

Present:     The Honorable Gilbert Nares, Acting Presiding Justice, and  
                 The Honorable Associate Justices Judith Haller and James McIntyre  
Clerk:        D. Moore

**D055534     Alga Hills Homeowners Association v. Gallagher**  
Cause called on merits. Maureen Gallagher argued for appellant, in pro per. Laurie S. Poole, Esq. argued for respondent. Ms. Gallagher replied. Cause submitted.

Court adjourned at 2:09 p.m.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 8, 2010

**D057501    In re Meyers on Habeas Corpus**  
The petition is denied.

Court convened at 10:00 a.m.

Present:     The Honorable Richard Huffman, Acting Presiding Justice, and  
               The Honorable Associate Justices Gilbert Nares and Judith Haller  
Clerk:        D. Moore

**D055477    Carson v. Michaels Stores, Inc.**  
Cause called on merits. James Lindsay, Esq. argued for appellant.  
Eric Robert McDonough, Esq. argued for respondent. Mr. Lindsay replied.  
Cause submitted.

Court adjourned at 10:41 a.m.

**D057661    In re Caliz on Habeas Corpus**  
The denial of a petition for writ of habeas corpus is not appealable. The appeal  
marked received by the Imperial County Superior Court on June 3, 2010, and filed  
on July 1, 2010, is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
July 9, 2010

- D057410     Sandra M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**  
No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.
- D057676     Dunn v. Superior Court of San Diego County/People**  
The petition is denied.
- D055519     People v. Powell**  
Powell's convictions are affirmed. The sentence imposed as to count 12 is vacated and the matter remanded for resentencing, including recalculation of fines imposed by the court, consistent with the directions expressed in this opinion.  
Nares, J.; We Concur: Benke, Acting P.J., Aaron, J.
- D055219     People v. Morales**  
Affirmed. Haller, J.; We Concur: Nares, Acting P.J., Aaron, J.
- D057638     In re Correll on Habeas Corpus**  
The request for judicial notice is granted. The petition for writ of habeas corpus In re Nicholas James Correll, No. D057638, will be considered at the same time as the pending appeal People v. Correll, No. D056002.
- D057637     1320 Summit Avenue, LLC et al. v. Superior Court of San Diego County/Stein et al.**  
The petition for writ of mandate and request for stay have been read and considered by Justices Benke, Huffman and Haller. The petition is denied.
- D057629     CLPF-MMIC Hillcrest Mob v. Superior Court of San Diego County/Maya et al.**  
The petition is denied.